



General Assembly

February Session, 2016

***Raised Bill No. 5463***

LCO No. 1740



Referred to Committee on TRANSPORTATION

Introduced by:  
(TRA)

***AN ACT REVISING MOTOR VEHICLE STATUTES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (c) of section 13b-50p of the 2016 supplement  
2 to the general statutes is repealed and the following is substituted in  
3 lieu thereof (*Effective from passage*):

4 (c) Any person who violates any provision of this section or any  
5 [regulation] procedure adopted pursuant to this section shall be fined  
6 not more than five hundred dollars.

7 Sec. 2. Subsection (c) of section 14-293b of the 2016 supplement to  
8 the general statutes is repealed and the following is substituted in lieu  
9 thereof (*Effective from passage*):

10 (c) A statement concerning such responsibilities shall be included in  
11 the [agency's] instruction manual for motor vehicle operation of the  
12 Department of Motor Vehicles.

13 Sec. 3. Section 14-251 of the 2016 supplement to the general statutes  
14 is repealed and the following is substituted in lieu thereof (*Effective*

15 *from passage):*

16 No vehicle shall be permitted to remain stationary within ten feet of  
17 any fire hydrant, or upon the traveled portion of any highway except  
18 upon the right-hand side of such highway in the direction in which  
19 such vehicle is headed; and, if such highway is curbed, such vehicle  
20 shall be so placed that its right-hand wheels, when stationary, shall,  
21 when safety will permit, be within a distance of twelve inches from the  
22 curb, except if a bikeway, as defined in section 13a-153f, or such  
23 bikeway's buffer area, as described in the federal Manual on Uniform  
24 Traffic Control Devices, is in place between the parking lane and the  
25 curb, such vehicle shall be so placed that its right-hand wheels, when  
26 stationary, shall, when safety will permit, be within a distance of  
27 twelve inches from the edge of such bikeway or buffer area. No vehicle  
28 shall be permitted to remain parked within twenty-five feet of an  
29 intersection or a marked crosswalk at such intersection, or within  
30 twenty-five feet of a stop sign caused to be erected by the traffic  
31 authority in accordance with the provisions of section 14-301. No  
32 vehicle shall be permitted to remain stationary upon the traveled  
33 portion of any highway at any curve or turn or at the top of any grade  
34 where a clear view of such vehicle may not be had from a distance of at  
35 least one hundred [and] fifty feet in either direction. The  
36 Commissioner of Transportation may post signs upon any highway at  
37 any place where the keeping of a vehicle stationary is dangerous to  
38 traffic, and the keeping of any vehicle stationary contrary to the  
39 directions of such signs shall be a violation of this section. No vehicle  
40 shall be permitted to remain stationary upon the traveled portion of  
41 any highway within fifty feet of the point where another vehicle,  
42 which had previously stopped, continues to remain stationary on the  
43 opposite side of the traveled portion of the same highway. No vehicle  
44 shall be permitted to remain stationary within the limits of a public  
45 highway in such a manner as to constitute a traffic hazard or obstruct  
46 the free movement of traffic thereon, provided a vehicle which has  
47 become disabled to such an extent that it is impossible or impracticable

48 to remove it may be permitted to so remain for a reasonable time for  
49 the purpose of making repairs thereto or of obtaining sufficient  
50 assistance to remove it. Nothing in this section shall be construed to  
51 apply to emergency vehicles and to maintenance vehicles displaying  
52 flashing lights or to prohibit a vehicle from stopping, or being held  
53 stationary by any officer, in an emergency to avoid accident or to give  
54 a right-of-way to any vehicle or pedestrian as provided in this chapter,  
55 or from stopping on any highway within the limits of an incorporated  
56 city, town or borough where the parking of vehicles is regulated by  
57 local ordinances. Violation of any provision of this section shall be an  
58 infraction.

59 Sec. 4. Section 14-106b of the 2016 supplement to the general statutes  
60 is repealed and the following is substituted in lieu thereof (*Effective*  
61 *from passage*):

62 (a) Each self-propelled motor vehicle registered in this state  
63 designed and manufactured with an odometer shall at all times while  
64 operating on the highway be equipped with a properly functioning  
65 odometer. Any person who violates any provision of this section shall  
66 be issued a warning for defective equipment under the provisions of  
67 subsection (c) of section 14-103.

68 (b) No person or his agent shall remove, turn back or change the  
69 reading on the odometer of any motor vehicle required under the  
70 provisions of subsection (a) of this section or subsection (a) of section  
71 14-106a to be equipped with an odometer except in connection with  
72 the repair of such odometer either while installed in or removed from  
73 such motor vehicle and unless such person is licensed as a new car  
74 dealer, used car dealer or general or limited repairer pursuant to  
75 section 14-52. Each odometer repaired and each new or used odometer  
76 installed in any motor vehicle required to be equipped with an  
77 odometer shall display mileage at least equal to the mileage displayed  
78 by the odometer in such motor vehicle immediately prior to such  
79 repair or replacement.

80 (c) No person shall sell, offer for sale, use, install or cause to be  
81 installed any device which causes the odometer in any motor vehicle  
82 required under the provisions of subsection (a) of this section or  
83 subsection (a) of section 14-106a to be so equipped to register any  
84 mileage other than the true mileage driven. For purposes of this  
85 section, the true mileage driven is that mileage driven by the vehicle as  
86 registered by the odometer within the manufacturer's designed  
87 tolerance.

88 (d) Any person violating the provisions of subsections (b) or (c) of  
89 this section shall be guilty of committing a class A misdemeanor. Any  
90 person violating the provisions of said subsections shall be liable for  
91 damages equal to three times the amount of actual damage or one  
92 thousand five hundred dollars, whichever is greater, court costs and  
93 reasonable attorney's fees and shall pay a civil penalty of not more  
94 than one thousand dollars for each violation. A violation of the  
95 provisions of said subsections shall be deemed to be an unfair trade  
96 practice within the provisions of chapter 735a. Any person licensed as  
97 a new car dealer, used car dealer or general or limited repairer  
98 pursuant to section 14-52 shall in addition to the penalties imposed by  
99 this section be subject to the suspension or revocation of his license as  
100 provided in section 14-64.

101 Sec. 5. Subdivision (82) of section 12-412 of the 2016 supplement to  
102 the general statutes is repealed and the following is substituted in lieu  
103 thereof (*Effective from passage*):

104 (A) The sale of and the storage, use or other consumption of any  
105 commercial motor vehicle, as defined in subparagraphs (A) and (B) of  
106 subdivision [(15)] (16) of section 14-1, that is operating pursuant to the  
107 provisions of section 13b-88 or 13b-89, during the period commencing  
108 upon its purchase and ending one year after the date of purchase,  
109 provided seventy-five per cent of its revenue from its days in service is  
110 derived from out-of-state trips or trips crossing state lines.

111 (B) Each purchaser of a commercial motor vehicle exempt from tax  
112 pursuant to the provisions of this subsection shall, in order to qualify  
113 for said exemption, present to the retailer a certificate, in such form as  
114 the commissioner may prescribe, certifying that seventy-five per cent  
115 of such vehicle's revenue from its days in service will be derived from  
116 out-of-state trips or trips crossing state lines. The purchaser of the  
117 motor vehicle shall be liable for the tax otherwise imposed if, during  
118 the period commencing upon its purchase and ending one year after  
119 the date of purchase, seventy-five per cent of the vehicle's revenue  
120 from its days in service is not derived from out-of-state trips or trips  
121 crossing state lines.

122 Sec. 6. Subdivision (22) of section 42-133cc of the 2016 supplement to  
123 the general statutes is repealed and the following is substituted in lieu  
124 thereof (*Effective from passage*):

125 (22) Exercise a right of first refusal or other right to acquire a  
126 franchise from a dealer unless the manufacturer or distributor:

127 (A) Notifies the dealer and the proposed transferee in writing that it  
128 intends to exercise its right to acquire the franchise not later than sixty  
129 days after the [manufacturer] manufacturer's or distributor's receipt of  
130 a notice of the proposed transfer from the dealer or the proposed  
131 transferee and all information and documents reasonably and  
132 customarily required by the manufacturer supporting such proposed  
133 transfer, as required pursuant to subdivision (11) of this section, and  
134 the proposed transfer is not to (i) a child, spouse, grandchild, parent or  
135 sibling, (ii) a current owner of the dealership that is the subject of the  
136 transfer, (iii) a dealership manager employed continuously by the  
137 dealer in the dealership for a period of not less than four years prior to  
138 the date of the proposed transfer and who is otherwise qualified as a  
139 dealer operator according to the usual standards of the manufacturer  
140 or distributor, or (iv) a partnership, trust or corporation controlled by,  
141 or for the benefit of, any of the types of individuals described in this  
142 subparagraph. For the purpose of this subparagraph, the "proposed

143 transferee" means the person to whom the franchise would have been  
144 transferred to, or was proposed to be transferred to, had the right of  
145 first refusal or other right to acquire the franchise not been exercised  
146 by the manufacturer or distributor;

147 (B) Will pay to the dealer the same or greater consideration as such  
148 dealer has contracted to receive in connection with the proposed  
149 transfer or sale of all or substantially all of the dealership assets, stock  
150 or other ownership interest, including the purchase or lease of all real  
151 property, leasehold or improvements related to the transfer or sale of  
152 the dealership. Upon exercise of the right of first refusal or such other  
153 right, the manufacturer or distributor shall have the right to assign the  
154 lease or to convey the real property;

155 (C) Assumes all of the duties, obligations and liabilities contained in  
156 the agreements that were to be assumed by the proposed transferee  
157 and with respect to which the manufacturer or distributor exercised  
158 the right of first refusal or other right to acquire the franchise;

159 (D) Reimburses the proposed transferee for all reasonable expenses  
160 incurred in evaluating, investigating, negotiating and pursuing the  
161 acquisition of the dealership prior to the [manufacturer]  
162 manufacturer's or distributor's exercise of its right of first refusal or  
163 other right to acquire the dealership. For purposes of this  
164 subparagraph, reasonable expenses include the usual and customary  
165 legal and accounting fees charged for similar work, as well as expenses  
166 associated with the evaluation and investigation of any real property  
167 on which the dealership is operated. The proposed transferee shall  
168 submit an itemized list of its expenses to the manufacturer or  
169 distributor not later than thirty days after the [manufacturer]  
170 manufacturer's or distributor's exercise of the right of first refusal or  
171 other right to acquire the motor vehicle franchise. The manufacturer or  
172 distributor shall reimburse the proposed transferee for its expenses not  
173 later than thirty days after receipt of the itemized list.

174       Sec. 7. Subsections (c) and (d) of section 14-96q of the 2016  
175       supplement to the general statutes are repealed and the following is  
176       substituted in lieu thereof (*Effective from passage*):

177       (c) A blue light or lights, including flashing blue lights, may be used  
178       on a motor vehicle operated by an active member of a volunteer fire  
179       department or company or an active member of an organized civil  
180       preparedness auxiliary fire company who has been issued a permit by  
181       the chief executive officer of such department or company to use such  
182       a light while on the way to or at the scene of a fire or other emergency  
183       requiring such member's services. Such permit shall be on a form  
184       provided by the commissioner and may be revoked by such chief  
185       executive officer or successor. The chief executive officer of each  
186       volunteer fire department or company or organized civil preparedness  
187       auxiliary fire company shall keep on file, ~~the~~ on forms provided by  
188       the commissioner, the names and addresses of members who have  
189       been authorized to use flashing blue lights as provided in this  
190       subsection. Such listing shall also designate the registration number of  
191       the motor vehicle on which authorized flashing blue lights are to be  
192       used.

193       (d) A green light or lights, including flashing green lights, may be  
194       used on a motor vehicle operated by an active member of a volunteer  
195       ambulance association or company who has been issued a permit by  
196       the chief executive officer of such association or company to use such a  
197       light, while on the way to or at the scene of an emergency requiring  
198       such member's services. Such permit shall be on a form provided by  
199       the commissioner and may be revoked by such chief executive officer  
200       or successor. The chief executive officer of each volunteer ambulance  
201       association or company shall keep on file, ~~on~~ forms provided by the  
202       commissioner, the names and addresses of members who have been  
203       authorized to use flashing green lights as provided in this subsection.  
204       Such listing shall also designate the registration number of the vehicle  
205       on which the authorized flashing green lights are to be used.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	13b-50p(c)
Sec. 2	<i>from passage</i>	14-293b(c)
Sec. 3	<i>from passage</i>	14-251
Sec. 4	<i>from passage</i>	14-106b
Sec. 5	<i>from passage</i>	12-412(82)
Sec. 6	<i>from passage</i>	42-133cc(22)
Sec. 7	<i>from passage</i>	14-96q(c) and (d)

***Statement of Purpose:***

To make technical and minor revisions to statutes related to transportation.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*